



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of  
**C. Smith et al**

Examiner: **D. Jones**

Application No.: **10/076,191**

**JUL 27 2004**

Art Unit: **1614**

Filed: **February 14, 2002**

**TECH CENTER 1600/2000**

Title: **METHOD OF TREATING OF  
DEMYELINATING DISEASES OR  
CONDITIONS**

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**July 21, 2004**

Date of Deposit

**Barbara Walker**

Signature

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Mail Stop Art Unit 1614  
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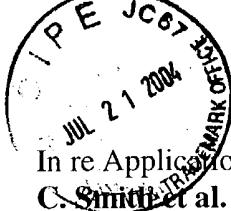
Respectfully submitted,

  
**Barbara E. Kurys**, Reg. No.: 34,650  
Attorney/Agent for Applicant

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Aventis Docket No. USAV2001/0002 US NP



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**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. 1.56, 1.97 AND 1.98**

Mail Stop Art Unit 1614  
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Applicants submit herewith patents, publications, and other information of which they are aware, which they believe may be material, as defined in 37 C.F.R. 1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. 1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 C.F.R. 1.56(b), the filing of this Information Disclosure Statement is not intended to, pursuant to 37 C.F.R. 1.97(h), constitute an admission that any patent, publication or other information referred to is, or is considered to be, material to the patentability of this invention. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information exists.

(a) This Information Disclosure Statement is filed within the period set forth in §1.97(b) because it accompanies the new patent application submitted herewith, is filed within three months of the filing date of a national application or within three months of the date of entry of the national stage as set forth in §1.491 in an international application, or is believed to be filed before the mailing date of a first Office Action on the merits, whichever event occurs last. However, in the event that the first office action has been mailed, the Commissioner is authorized to charge any fees under 37 C.F.R. 1.17(p) or credit any overpayment to Account No. **18-1982**.

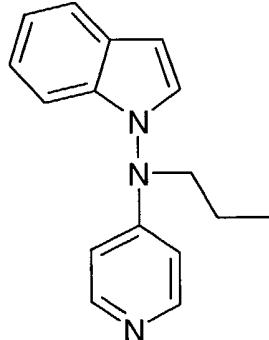
(b) This Information Disclosure Statement is filed after the period set forth in 37 C.F.R. 1.97(b), but is believed to be filed before the mailing date of a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first.

(1) The undersigned attorney certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement;

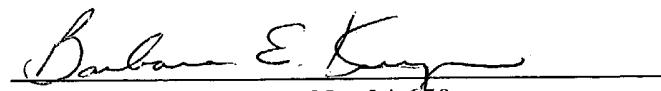
(2) The undersigned attorney certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned attorney after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement; or

(3) This Information Disclosure Statement is accompanied by a transmittal letter in which payment of the fee set forth in §1.17(p) and required by 37 C.F.R. 1.97(c) is authorized

Applicants wish to inform the Patent Office that one of the references contained herewith (i.e. L. Tang et al., 4-Aminopyridine Derivatives: A Family of Novel Modulators of Voltage-Dependent Sodium Channels, Drug Development Research, Vol. 44, No. 1, May 1998, pp. 8-13) discloses certain information relating to the compound known as besipirdine. Besipirdine (a.k.a. HP749 and N-(n-propyl-N-(4-pyridinyl)-1H-indol-1-amine hydrochloride) has the following structure:



Respectfully submitted,

  
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JUL 27 2004

PTO/SB/08A (10-96)

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Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>		<b>Complete if Known</b>	
		Application Number	10/076,191
		Filing Date	02-14-2002
		First Named Inventor	SMITH
		Group Art Unit	1614
		Examiner Name	Dwayne C. Jones
Sheet	1	of	2
		Attorney Docket Number	

## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Sheet	2	of	2	Application Number	10/076,191
				Filing Date	02-14-2002
				First Named Inventor	SMITH
				Group Art Unit	1614
				Examiner Name	Dwayne C. Jones
				Attorney Docket Number	USAV2001/0002 - US - NP

<b>OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS</b>			
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		C.T. BEVER, JR., The Current Status of Studies of Aminopyridines in Patients with Multiple Sclerosis, Annals of Neurology, Boston, MA, Vol. 36, 1994, pp. S118-S121	
		L. TANG et al., 4-Aminopyridine Derivatives: A Family of Novel Modulators of Voltage-Dependent Sodium Channels, Drug Development Research, Vol. 44, No. 1, May 1998, pp. 8-13	
		L. TANG et al., Effects of besipiridine at the voltage-dependent sodium channel, British Journal of Pharmacology, Vol. 116, No. 5, 1995, pp. 2468-2472	
		M ABOU-GHARBIA et al., IV Congress of the ECNP, Aggression and anxiety are the first components to respond to antidepressant therapy, Drug News and Perspectives, Vol. 4, No. 10, Dec. 1, 1991, pp. 647-650	
		P. Villoslada et al., Human Nerve Growth Factor Protects Common Marmosets against Autoimmune Encephalomyelitis by Switching the Balance of T Helper Cell Type 1 and 2 Cytokines within the Central Nervous System, Journ. of Experimental Medicine, Vol. 191, No. 10, 15 May 2000, pp. 1799-1806	
		R.M. EGLEN et al., Muscarinic receptor ligands and their therapeutic potential, Current Opinion in Chemical Biology, Vol. 3, No. 4, August 1999, pp. 426-432	
		W.J. MYSIW et al., Medications To Enhance Cognitive Functioning, Physical Medicine and Rehabilitation Clinics of North America, 1997, pp. 781-800	

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